

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90306 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- LAKHAURA District- East Champaran

Happy Sahani @ Happy Kumar S/O Ashok Sahani R/O Village- Beltola, P.S-
Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-01-2026 Heard Mr.Abhishek Kumar, learned counsel for the

petitioner and Mr.Rajendra Prasad Nat, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
25.09.2025 in connection with Lakhaura P.S. Case No.114 of
2025, dated 25.04.2025 registered for the offences punishable
under Sections 126(2), 115(2), 118(1), 117(2), 118(2), 109(1),
351(3), 3(5) of BNS, 2023.

3. Allegation against the petitioner is that he fired by
his firearms but no one has received any injury.

4. Learned counsel appearing for the petitioner
submits that the allegation as alleged in the FIR is false and
fabricated and the petitioner has not committed any offence as
alleged in the FIR. Although there is general and omnibus



allegation against all the accused persons including the petitioner that they have assaulted to the informant and his wife and allegation against the petitioner is that he fired by his firearms. Learned counsel for the petitioner submits that there is specific allegation of firing attributed against the petitioner but no one has received any injury and all the injury inflicted upon the injured person caused by other co-accused persons. The police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 25.09.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner in the FIR and he carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari East Champaran in connection with Lakhaura P.S. Case No.114 of 2025, with the following conditions:-



(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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